REMARKS

Claims 36 and 37 have been canceled. Claims 23, 27, 31 and 38, have been amended. No new matter has been added to the claims. Claims 23 to 27, 29 to 33, and 35 to 46 are now pending. Applicants respectfully request reconsideration of the present application in view of this response.

Claims 23 to 27, 29 to 31, 33, 35, 38 to 42, 45, and 46, were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Publication No. US2001/0048798 to Sasaoka et al. ("Sasaoka reference").

The Sasaoka reference is directed to a chromatic dispersion compensating module which realizes signal transmission at a high bit rate, and is recited as having a chromatic dispersion compensator which compensates for the chromatic dispersion of an optical fiber transmission line at a predetermined wavelength, and a temperature controller which controls the temperature of the chromatic dispersion compensator in such a manner to set the chromatic dispersion of the chromatic dispersion compensator at a desired value.

Claim 23 is directed to a device for adjusting the chromatic dispersion in an optical transmission system, and requires an optical element having a temperature-dependent chromatic dispersion, a device for measuring an ambient temperature of at least one section of the optical element to generate a measured value; and a device for adjusting at least one of a temperature and a temperature distribution of at least one region of the optical element for providing a predefined chromatic dispersion of the optical element, the device adjusting in response to the measured value, the device for adjusting including a heating device. Claim 23 has been amended to further recite "at least two devices for adjusting the chromatic dispersion of the optical transmission system that are disposed one after the other along the optical path being connected via an optical monitoring channel to a computer device for ascertaining the settings of the device."

The Sasaoka reference is not believed to identically disclose each of the claimed features, including at least two devices for adjusting the chromatic dispersion of the optical transmission system that are disposed one after the other along the optical path being connected via an optical monitoring channel to a computer device for ascertaining the settings of the device, as required by claim 23. Accordingly, Applicants respectfully submit that the Sasaoka reference does not identically disclose each and every feature of claim 23. Claim 31 recites features analogous to claim 23, and is believed allowable for essentially the same reasons as claim 23. Clams 36 and 37 were canceled. Claim 38 claims a temperature chamber. Claims 39 to 44 depend from claim 38, and are believed allowable for at least the same reasons. Withdrawal of the rejection under 35 U.S.C. § 102(e) of claims 23 to 27, 29 to 31, and 33 to 35, and 38 to 42, is respectfully requested.

Claims 36 and 37 were rejected under 35 U.S.C. § 103(a) as unpatentable over the Sasaoka reference in view of U.S. Patent Publication No. 2002/0006257 to Danziger ("Danziger reference").

Claims 36 and 37 were canceled. Accordingly, any rejection of those claims is now moot.

Claims 32, 43, and 44, were rejected under 35 U.S.C. § 103(a) as unpatentable over the Sasaoka reference in view of U.S. Patent No. 6,771,904 to Sasaki ("Sasaki reference").

Claim 32 depends from claim 31, claims 43 and 44 depend from claim 38, and, as discussed above, Applicants respectfully submit that the Sasaoka reference does not disclose each and every feature of claims 32, 43, and 44, including at least two devices for adjusting the chromatic dispersion of the optical transmission system that are disposed one after the other along the optical path being connected via an optical monitoring channel to a computer device for ascertaining the settings of the device. Accordingly, claims 32, 43, and 44, are believed allowable over the Sasaoka reference.

The Sasaki reference does not cure the deficiencies of the Sasaoka reference. The Sasaki reference appears to concern an optical transmission system having a test signal generator 105 for generating a test signal. However, the Sasaki reference does not teach or describe, among other things, as required in the claims, at least two devices for adjusting the chromatic dispersion of the optical transmission system that are disposed one after the other along the optical path being connected via an optical monitoring channel to a computer device for ascertaining the settings of the device. Further, the Sasaki reference does not teach or describe how to use a test signal generator in the specific manner provided for and needed in the present invention. Instead, the test signal generator 105 in the Sasaki reference has its own requirements and specification for that specific disclosure. Accordingly, Applicants respectfully submit that the Sasaoki and Sasaki references in combination do not teach or describe each and every feature of claims 32, 43, and 44. Each is believed allowable for essentially the same reasons as claim 23. Withdrawal of the rejection under 35 U.S.C. § 103(a) of claims 32, 43, and 44, is respectfully requested.

In summary, it is respectfully submitted that all of claims 23 to 27, 29 to 33, 35, and 38 to 46 are believed allowable for the foregoing reasons.

CONCLUSION

In view of the foregoing, it is believed that the rejections have been obviated, and that all claims 23 to 27, 29 to 33, 35, and 38 to 46 are allowable. It is therefore respectfully

requested that the rejections be withdrawn, and that the present application issue as early as possible.

Applicants kindly request an interview with the Examiner to discuss the above case in order to further its prosecution.

Respectfully submitted,

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